

CERTIFICATE OF ELECTRONIC TRANSMISSION

I hereby certify that this correspondence for Application No. 09/710,487 is being electronically transmitted to Technology Center 2416, via EFS-WEB, on May 4, 2009.

/Charles R. Figer, Jr./
Charles R. Figer, Jr., Reg. No. 62,518

May 4, 2009
Date

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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|------------------|--|-------------------|------|
| Applicant: | Hench et al. | Confirmation No.: | 5334 |
| Serial No.: | 09/710,487 | | |
| Filing Date: | November 10, 2000 | | |
| Examiner: | Anh Vu H Ly | | |
| Art Unit: | 2416 | | |
| Title: | METHOD AND APPARATUS FOR THE PREDICTION AND OPTIMIZATION IN IMPAIRED COMMUNICATION SYSTEM | | |
| Attorney Docket: | | | |

Cincinnati, Ohio

May 4, 2009

AMENDMENT UNDER 37 C.F.R. § 1.111

Mail Stop AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

This paper is responsive to the Non-Final Office Action mailed February 2, 2008. The Examiner has indicated that claims 1, 2, 4, 6-20, 22, 24-31, 33 and 35-41 are pending in the application. Claims 1, 2, 4, 6-20, 22, 24-31, 33 and 35-41 stand rejected. Claims 1, 7-10, 12, 13, 15, 19, 22, 26, 30, 31, 36 and 38 are objected to. The present response includes the following:

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|----------------------------------|--------------|
| Amendments to the Specification: | None |
| Amendments to the Claims: | Pages 2 - 7 |
| Amendments to the Abstract: | None |
| Amendments to the Drawings: | None |
| Remarks: | Pages 8 - 10 |
| Attachments: | None |